



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
DECEMBER 5, 2013**

MINUTES

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, December 5, 2013, at 7:04 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilwoman Kaye Jones; the Pledge of Allegiance was led by Councilwoman Valerie Guzman.

ATTENDANCE

PRESENT: Kip McNeill (1), Deanna McLaughlin (2), James Lewis, Mayor Pro Tem (3), Wallace Redd (4), Valerie Guzman (5), Marc Harris (6), Geno Grubbs (7), David Allen (8), Joel Wallace (9), Bill Summers (10), Kaye Jones (11), Jeff Burkhart (12)

PUBLIC HEARING

Councilman Grubbs made a motion to conduct a public hearing to receive comments regarding requests for zone change. The motion was seconded by Councilman Redd. A voice vote was taken; the motion passed without objection.

ORDINANCE 38-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Regional Planning Commission for zone change at Highway 75 & Highway 41-A South, portions of Bellgar Subdivision and Bellshire Subdivision from R-4 Multiple Family Residential District to R-1A Single Family Residential District and R-2D Two Family Residential District

There were no comments in support of or in opposition to this request.

ORDINANCE 39-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of David L. Merrill for zone change on property at Tiny Town Road & Tobacco Road from R-1A Single Family Residential District to C-2 General Commercial District

There were no comments in support of or in opposition to this request.

ORDINANCE 40-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Jimmy Randolph for zone change on property at S.R. 374 & Evans Road from RM-1 Single Family Mobile Home Residential District to C-5 Highway & Arterial Commercial District

Jimmy Randolph expressed his desire to improve the property for future commercial expansion. No one voiced opposition to this request.

Councilman Grubbs made a motion to revert to regular session. The motion was seconded by Councilman Lewis. A voice vote was taken; the motion passed without objection.

ZONING

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 38-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McNeill, Redd, Summers, Wallace

The motion to adopt this ordinance on first reading passed.

The recommendation of the Regional Planning Staff was for disapproval of **ORDINANCE 39-2013-14**; the recommendation of the Regional Planning Commission was for approval. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Burkhart. Councilwoman Jones said area residents opposed this change. The following vote was recorded:

AYE: Burkhart, Redd

NAY: Allen, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McNeill, Summers, Wallace

The motion to adopt this ordinance on first reading failed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 40-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McNeill, Redd, Summers, Wallace

The motion to adopt this ordinance on first reading passed.

CONSENT AGENDA

All items in this portion of the agenda are considered to be routine and non-controversial by the Council and may be approved by one motion; however, a member of the Council may request that an item be removed for separate consideration under the appropriate committee report:

1. **ORDINANCE 28-2013-14** (Second Reading) Amending the Official Code relative to waiver of Gas-Water-Sewer fees
2. **ORDINANCE 29-2013-14** (Second Reading) Amending the FY14 Clarksville Fire & Rescue budget for Station 1 concrete repair
3. **ORDINANCE 30-2013-14** (Second Reading) Amending the FY14 Clarksville Fire & Rescue budget for generators
4. **ORDINANCE 32-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Jannette Schutz for zone change on property at East Old Ashland City Road & Windham Drive from R-5 Residential District to R-1 Single Family Residential District
5. Approval of Minutes: November 7th
6. Approval of board appointments:

Adjustments & Appeals: Fulton Wilson (replace Coy Baggett-term expired) – December 2013 through June 2017

Audit Committee: Tim Hurst, Al Irby (reappointments) – January 2014 through December 2015

Gas & Plumbing Board: Danny Alford (replace Bruce McGaha-term expired), Ted Roberts (replace Jeff Ransdell-term expired) – December 2013 through March 2016

Board of Zoning Appeals: Mark Kelly – January 2014 through December 2014; Patty Kelly – January 2014 through December 2015; Reid Poland – January 2014 through December 2016; Bobby Powers – January 2014 through December 2017; Bill Powers – January 2014 through December 2018

Councilman Wallace made a motion to adopt the Consent Agenda as presented. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McNeill, Redd, Summers, Wallace

COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen said two Housing & Community Development staff members had been selected to participate in the National Development Council financial certification program. He announced the department recently received a positive annual HUD review of performances of grant recipients.

FINANCE COMMITTEE

Joel Wallace, Chair

ORDINANCE 31-2013-14 (First Reading) Authorizing transfer of funds to create a new capital project for a new police north precinct

The recommendation of the Finance Committee was for approval of this ordinance. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman McLaughlin. Councilwoman Jones and Councilman McNeill felt other locations should be considered. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Summers, Wallace

NAY: McNeill

The motion to adopt this ordinance on first reading passed.

ORDINANCE 36-2013-14 (First Reading) Accepting donation of property from Gordon Seay for Fire Station #11

The recommendation of the Finance Committee was for approval of this ordinance. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilman Burkhart objected to building a new station at his location. The following vote was recorded:

AYE: Allen, Grubbs, Guzman, Jones, Lewis, McLaughlin, McNeill, Redd, Summers, Wallace

NAY: Burkhart, Harris

The motion to adopt this ordinance on first reading passed.

ORDINANCE 37-2013-14 (First Reading) Amending the FY14 Information Technology budget for a video playback system and additional servers

The recommendation of the Finance Committee was for approval of this ordinance. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. City Attorney Lance Baker said the current system was not designed to serve the purpose and intent of the department in providing efficient video streaming. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McNeill, Redd, Summers, Wallace

The motion to adopt this ordinance on first reading passed.

GAS & WATER COMMITTEE

Jeff Burkhart, Chair

ORDINANCE 34-2013-14 (First Reading) Amending the Official Code relative to backflow prevention testing fees and grease management inspection fees

The recommendation of the Gas & Water Committee was for approval of this ordinance. Councilman Burkhart made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McNeill, Redd, Summers, Wallace

The motion to adopt this ordinance on first reading passed.

ORDINANCE 35-2013-14 (First Reading) Authorizing exercise of right of eminent domain for acquisition of easements for the Main Lift Station Gravity Sewer Upgrade Project

The recommendations of the Gas & Water Committee and Finance Committee were for approval of this ordinance. Councilman Burkhart made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman Guzman. Councilwoman Jones felt attempts for successful negotiations should be made prior to approval of use of eminent domain.

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Leis, McLaughlin, McNeill, Redd, Summers, Wallace

NAY: Jones

The motion to adopt this ordinance on first reading passed.

PARKS, RECREATION, GENERAL SERVICES

Wallace Redd, Chair

Councilman Redd invited the public to the annual Christmas Parade scheduled for December 7th.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

Geno Grubbs, Chair

Councilman Grubbs offered the monthly department statistics: Clarksville Fire & Rescue - 885 emergency responses; Clarksville Police - 12,039 calls; Building & Codes Construction Division - 1,776 inspections; Building & Codes Enforcement Division - 167 cases; Building & Codes Abatement Program - 33 work orders.

STREET COMMITTEE

James Lewis, Chair

Councilman Lewis reported 171 work orders completed by the Street Department in November.

TRANSPORTATION COMMITTEE

Marc Harris, Chair

Councilman Harris said 61,111 passengers were transported by Clarksville Transit System and 4,177 were transported by Clarksville-Nashville Express in November. The City Garage completed 286 work orders with unleaded fuel at a cost of \$2.95 per gallon and diesel fuel at a cost of \$3.05 per gallon.

Councilman Harris announced the unveiling of the “101st Tribute Bus” sponsored by Clarksville Transit System, City of Clarksville, Gas & Water Department, and Clarksville Department of Electricity.

NEW BUSINESS

GARAGE BUDGET AMENDMENT

ORDINANCE 41-2013-14 (First Reading) Amending the FY14 Garage Operating Budget to transfer funds for purchase of a welder, air compressor motor, and oil separators

Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McNeill, Redd, Summers, Wallace

The motion to adopt this ordinance on first reading passed.

BOARD APPOINTMENTS

Councilman Redd made a motion to consider approval of additional board appointments. The motion was seconded by Councilman Lewis. Councilwoman McLaughlin objected to consideration of board appointments that were not presented during executive session. The following vote was recorded:

AYE: Grubbs, Guzman, Harris, Lewis, McMillan, McNeill, Redd, Wallace

NAY: Allen, Jones, McLaughlin, Summers

ABSTAIN: Burkhart

The motion failed due to lack of $\frac{3}{4}$ majority approval.

No action was taken on appointments to the Economic & Community Development Board (Jeff Burkhart, Melinda Shepard, David B. Smith).

MAYOR AND STAFF REPORTS

There were no reports from Mayor McMillan or any staff member.

ADJOURNMENT

The meeting adjourned at 7:39 p.m.